

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

MARK S. PRESUTTI

Chapter 13

Debtor

Bankruptcy No. 23-10194-MDC

**OBJECTION OF CHAPTER 13 TRUSTEE  
TO CONFIRMATION OF PLAN OF DEBTOR(S)**

**AND NOW** comes, KENNETH E. WEST, ESQUIRE, chapter 13 standing trustee, to object to confirmation of the chapter 13 plan of debtor(s), because it fails to comply with 11 U.S.C. Sections 1322 and/or 1325 of the Bankruptcy Code, and/or debtor(s) has/have failed to provide information, evidence, or corrections to the petition, schedules, statements or other documents filed by debtor(s) to enable the standing trustee to evaluate the Plan for confirmation, as follows:

The Plan violates 11 U.S.C. Section 1325(a)(4) in that the value of the property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid in a Chapter 7 liquidation.

The Plan violates 11 U.S.C. Section 1325(b)(2) in that it does not include all disposable income for the benefit of the unsecured creditors, and in particular, debtor(s) has/have failed to include the amounts that will be available once all pension loans have been paid.

**WHEREFORE**, the standing trustee requests that the Court enter an order in the form annexed hereto denying confirmation of the Plan.

Respectfully submitted,

/s/ Kenneth E. West  
Kenneth E. West, Esquire  
Chapter 13 Standing Trustee